

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: FODSTAD et al. Examiner: unknown  
Serial No.: 09/125953 Group Art Unit: 1634  
Filed: August 26, 1998 Docket: 7885.56USWO  
Title: IMMUNO-MAGNETIC CELL SEPARATION USED IN IDENTIFICATION OF GENES  
ASSOCIATED WITH SITE- PREFERENCED CANCER METASTASIS FORMATION

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: , Commissioner for Patents, Washington, D.C. 20231 on April 9, 2003.

By: 

Name: Nicole Landry

Commissioner for Patents  
Washington, D.C. 20231

RECEIVED

APR 16 2003

Sir:

We are transmitting herewith the attached:

TECH CENTER 1600/2900

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Information Disclosure Statement, Form 1449, 6 Reference(s)
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.  
P.O. Box 2903, Minneapolis, MN 55402-0903  
612.332.5300

By: 

Name: John J. Gresens

Reg. No.: 36,112

JJG:nel



23552

PATENT TRADEMARK OFFICE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*duplicate*

1634

Applicant: FODSTAD et al. Examiner: unknown  
Serial No.: 09/125953 Group Art Unit: 1634  
Filed: August 26, 1998 Docket: 7885.56USWO  
Title: IMMUNO-MAGNETIC CELL SEPARATION USED IN IDENTIFICATION OF GENES  
ASSOCIATED WITH SITE- PREFERRED CANCER METASTASIS FORMATION

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: , Commissioner for Patents, Washington, D.C. 20231 on April 9, 2003.

By: *Nicole Landree*

Name: Nicole Landree

Commissioner for Patents  
Washington, D.C. 20231

RECEIVED

Sir:

APR 16 2003

We are transmitting herewith the attached:

TECH CENTER 1600/2900

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Information Disclosure Statement, Form 1449, 6 Reference(s)
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.  
P.O. Box 2903, Minneapolis, MN 55402-0903  
612.332.5300

By: *John J. Gresens*

Name: John J. Gresens

Reg. No.: 33,112

JJG:nel



23552

PATENT TRADEMARK OFFICE



S/N 09/125953

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	FODSTAD et al.	Examiner:	unknown
Serial No.:	09/125953	Group Art Unit:	1634
Filed:	August 26, 1998	Docket No.:	7885.56USWO
Title:	IMMUNO-MAGNETIC CELL SEPARATION USED IN IDENTIFICATION OF GENES ASSOCIATED WITH SITE-PREFERENCED CANCER METASTASIS FORMATION		

TECH CENTER 1600/2900

APR 16 2003

RECEIVED

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on April 9, 2003.

By: 

Name: Nicole Landree

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted before the mailing of a first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. § 1.114 or a CPA under 37 C.F.R. § 1.53(d). Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. § 1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked

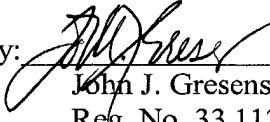
as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
(612)332.5300

Dated: April 9, 2003

By:   
John J. Gresens  
Reg. No. 33,112

JJG/nel



FORM 1449\*

## INFORMATION DISCLOSURE STATEMENT

## IN AN APPLICATION

(Use several sheets if necessary)

Docket Number:

7885.56USWO

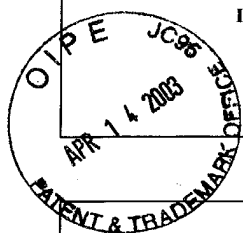
Application Number:

09/125953

Applicant: FODSTAD et al.

Filing Date: August 26, 1998

Group Art Unit: 1634



## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

RECEIVED

APR 16 2003

TECH CENTER 1600/2900

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Ebralidze et al., "Isolation and Characterization of a gene specifically expressed in different metastatic cells and whose deduced gene product has a high degree of homology to a $Ca^{2+}$ binding protein family", Genes Dev. 3: 1086-1903 (1989)
	Liang et al., "Differential Display and Cloning of Messenger RNAs from Human Breast Cancer versus Mammary Epithelial Cells", Cancer Res. 52:6966-6968 (1992)
	Rosol et al., "Solid-Phase Method for Differential Display of Genes Expressed in Hematopoietic Stem Cells", Biotechniques 21:114-121 (1996)
	Sobel, J., "Metastasis Suppressor Genes", Natl. Cancer Inst. 82:267-276 (1990)
	Lee et al., "Positive selection of candidate tumor-suppressor genes by subtractive hybridization", Proceedings of the National Academy of Sciences 88:2825-2829 (1991)
	Sager, "Tumor suppressor genes in the cell cycle", Current Opinon in Cell Biol., 4:155-160 (1992)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation and not considered. Include copy of this form for next communication to the Applicant.



23552

PATENT TRADEMARK OFFICE